

Application No.: 09/699,922

Docket No.: 00-4026

REMARKS

Claims 1-20 and 24 are currently pending. Claims 21-23 have been canceled. Claims 1, 3-5, 7-9, 11-12, 15-20, and 24 have been amended. Applicant thanks the Examiner for indicating that claims 17-20 are allowed and claims 2 and 10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner has rejected the remaining claims 1, 3-9, 11-16, and 24 under 35 U.S.C. §102 or §103, applying U.S. Patent No. 4,628,530 to Op De Beek et al. as the sole or primary prior art reference, as applicable.

Applicant thanks the Examiner for interviewing this case by telephone with Applicant's representative on August 10, 2005. During the interview, the Examiner agreed that Op De Beek does not teach or suggest a system for adjusting the volume of an audio device. Rather, Op De Beek is directed to a system for adjusting the frequency of an audio signal. Further, the Examiner agreed that Op De Beek does not teach or suggest a system wherein the signal(s) necessary for the system to adjust the volume are received at a location that is physically separated from the audio device itself.

In light of the interview, Applicant has amended claims 1, 3-5, 7-9, 11-12, 15-20 and 24 to include the concepts of: (i) adjusting audio volume (as opposed to adjusting audio level); and (ii) receiving the signal(s) necessary for the system to adjust the volume at a location physically separated from the audio device itself. Applicant submits that Op De Beek does not teach or suggest these features. Applicant submits that all of the pending claims are allowable over the cited prior art for these reasons.

Applicant notes that at least claims 15 and 16 recited limitations directed to the concepts of: (i) adjusting audio volume (as opposed to adjusting audio level); and (ii) receiving the signal(s) necessary for the system to adjust the volume at a remote location. Accordingly, Applicant submits that claims 15 and 16 should have been allowed for the reasons set forth hereinabove before any of the amendments made through the current Response. Therefore, Applicant respectfully submits that the Examiner should enter the current amendments, as the Examiner should not need further search or consideration.

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CONCLUSION

Applicant respectfully submits that all pending claims are distinguished over the cited prior art and are otherwise in condition for allowance. If the Examiner has any questions or issues relating to Applicant's response, or believes that any formal matters require clarification, the Examiner is cordially encouraged to telephone the undersigned Applicant's representative.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 07-2347, under Order No. 00-4026 from which the undersigned is authorized to draw. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to the above account.

Dated: August 18, 2005

Respectfully submitted,

By

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